Viorst file

To Jim Lesar from Harold Weisberg, JFK assassination records appeals 8/6-79
Claims to exemption - not justified
"national security"
privacy

In connection with a Emerson/Milteer appeal last week I included reference to a record relating to Milton Viorst who, in sending the Director a copy of an article, probably never dreamed that there was this special FBI JEH loyalty test applied to all who write and particularly to writers. (I will also provide a rare exception relating to me, where I suspect records were withheld because what I will provide has no accompanying research and accompaniment.)

The passing reference I made, as I recall now, had to do with arbitrariness and capriciousness in "privacy" claims made by the FBI in processing records in historical cases. At the time, based on what I have come to appreciate of the FBI and its concept of the Constitution and traditional American belief, I had a hunch it took a little time to check out. It was my belief that when in its usual waste of public funds and taking of time from law-enforcement for what it regarded as more important the FBI generated all this bile it was not going to be chincky in letting the bile flow freely. Checking the two other main files confirmed my hunch. There was no "previously processed" claim of any kind and the bile flowed freely in the three files, so that anyone perusing any one would be certain to come accross it, in varying degree, depending on the willingness of the FBI snoylets to violate the Act. And also depending on the dedication to "national security."

Because No. 3002 has not yet achieved the degree of perfection in unnecessary and unjustified "national security" withholdings attained by No. 2040 or his flair in finding it necessary to the "national security" to withhold what is within the public domain, a perfectionism in violation of the Act I have called to your attention thus far to no avail, it is possible for me to examine what in 2040's tried and tested knowledge threatened the nation's security. To this end I attach 62-109090-569, 62-109060 Unrecorded and 44-24016 Unrecorded, the M.A. Jones (JIC) to Mr. Wick 2/1/67 memo captioned "MILTON VIORST."

For the last, the "Ruby" copy, in 6/77 2040 claimed b1 and 7D to withhold entirely what appeared under "INFORMATION IN MEMING," which even for a perfectionist is improper processing in denying the requestor the knowledge which exemption is claimed for what, a No. 2040 side specialty. That this requirement had been established by the courts of law prior to No. 2040's display of his knowledge of the law that is superior to that of courts of law was and probably remains to his credit in the FBI because it sure as hell has had him employ this superior-to-the-courts knowledge in the processing of many thousands of pages of records all of which should be reprocessed, as I have already asked.

(By the way, what happened to my appeal for the review of all "national security" claims to exemption under the new E.O.?)

Although in the Ruby file the memo is unrecorded the 62-109060 unrecorded copy is Section of the Director's "What do we know of Milton Viorst?" is Serial 2142 in the Ruby file. In the 62-109090 file it is Serialized, as 570.

Given enough time No. 3002 may catch up with No. 2040, from his claims to need to withhold. In the JFK file he claimed b1 and "To DOHU for classifying by paragraph." But in the Commission file he omitted the DOHU and added 7D or "privacy". (Of course we got a reading on the "national defense" reviews by DOHU in this, if you will look, because it felt the national would be endangered by disclosure of the reasonably segregable information and the file numbers that 3002 withheld.)

There is also an excellent reading of 3002. Apparently he earned his Bronzie points by withholding what 2040 had withheld in 3002's processing in the 109090 file while not withholding three of the five paragraphs involved in processing the 109060 copy. (From the extent of his involvement in "national security" and other claims I've appealed he should have earned a promotion by now.)

Anyway, we now know what endangered the "national security" and that as an undergraduate Viorst was an "internal security" threat to FBIHQ because he refused to sign a certification that if my recollection is correct the courts later held would have could one violated the First Amendment. How better, in the FBI view, endanger the country?

His endangering of the national security is also reflected in another internal security file, apparently one on the Rosenberg/Sobell case. In Serial 2692 it is duly recorded that he "conversed with an unidentified ~~[illegible]~~ man observed driving a car registered to Viorst." From the attention the ~~[illegible]~~ mafia and others did not receive/ because of this kind of use of FBI manpower there must be some appreciation of it somewhere. Not by the then Pope, who expressed ~~[illegible]~~ views similar to those it here is inferred Viorst held. (Is there an FBI "internal security" file on the Pope?)

I don't know when Viorst became a reporter and do not know if he was covering the "prayer walk" referred to in the file cited above and because of the withholding approved by DOJ of the fourth (as well as the second) paragraph can't be more informative. The fifth paragraph identified Viorst as a reporter in connection with the withheld fourth paragraph. I hope you can agree that this indicates reasonably segregable content is withheld, along with the file numbers in both cases, also segregable.

That Viorst was a special kind of power in the New York Post is reflected in part of what I called to your attention as at least inconsistency in the FBI's privacy withholdings relating to "one Ronald Bulin." Here the FBI says of Viorst that "He then had employed for him as a General Assistant" this Bulin, to whom "soliciting for lewd and immoral purposes" is attributed, without reference to any convictions. (This is from a 105 "internal security" file.)

(In my day separations were employees, not employees but that probably didn't suit the FBI so it may have made its own improvements for its own purposes, here indicated by inclusion of Viorst as "the holder of a White House pass" as a reporter.)

What is surprising is that as provided to me nobody in the FBI called to the Director's attention Viorst's comment on the Warren Commission's failure to employ its own investigators, a decision made with considerable FBI input. The FBI, of course, filled that role. There is other comment one might have expected would be called to Hoover's attention.

What is not surprising, given the FBI's belief that FOIA is a withholding rather than a disclosing statute and the faithful and diligent practice of this belief is the

benchmark of the 2040s and 3002s, is their attempted withholding of information that certainly should have been disclosed in the Monopol case. If the FBI's 2040s and 3002s recognize a law higher and mightier than the written law of the land, who is there in the FBI to fault them for it?

Of course I appeal all of these improper withholdings, in all the inconsistent forms employed on the single record. (What else when my record relating to collegiate military training is more sinister than Vlerot's. He was merely dropped. I opposed the compulsion.)

This means I am also appealing again the DOJ's decision (also known as rubber-stamping). It is easier to understand the FBI's bizarre practices. Overall providing a guide, than the Department's. How it could approve as a national security secret what had already been disclosed, even if there had been any basis for classification, as there was not, may perhaps be understood by those who claim that the FOIA rather than the FBI's FOIA practices are the great cost. (As you know, I am not one of these so I don't pretend to be able to understand this.)

If more than 2 years and a half is not enough time for a response to my appeal for a review of all classifications in all my cases would you care to let me know how much longer I may expect DOJ's board to grow before there is any response?

Response need not be lengthened by informing me that I can file suit, as I know I can when there is no response to appeal after 10 days. Nor need anyone worry about how this kind of a suit would look, for the Department or the President manent when both made so much of the great advance this new E.O. allegedly represents. Nobody in the Department seems to care how anything looks as long as they can withhold improperly, frustrate the Act and build phoney statistics relating to costs in an effort to have it amended.